



ZONING COMMITTEE
REGULAR COMMITTEE MEETING
~Minutes~

Atlanta City Hall
55 Trinity Ave.
Atlanta, GA 30303
<http://www.atlantaga.gov/>

CITY OF ATLANTA

Chairperson
The Honorable Yolanda Adrean

Theodis Pace
(404) 330-6314
tpace@atlantaga.gov

Wednesday, October 28, 2015

9:30 AM

Council Chamber

A. CALL TO ORDER

The regularly scheduled meeting of the **Zoning Committee** was held on **Wednesday, October 28, 2015**, at **9:32 AM**, in **Council Chamber**. The following members were present:

B. INTRODUCTION OF MEMBERS

Attendee Name	Title	Status	Arrived
Yolanda Adrean	Chair	Present	9:28 AM
Carla Smith	Vice Chair	Present	9:28 AM
Keisha Lance Bottoms	Councilmember, District 11	Present	9:28 AM
Kwanza Hall	Councilmember, District 2	Absent	
Mary Norwood	Councilmember, Post 2 At-Large	Present	9:28 AM
Howard Shook	Councilmember, District 7	Present	9:28 AM
Ivory Lee Young Jr.	Councilmember, District 3	Present	9:38 AM

Others in Attendance:

Director Charletta Jacks, Interim Zoning Administrator Brandy Crawford, **Department of Planning**; Attorney Jeffery Haymore, **Law Department**; members of the public and Council staff.

C. ADOPTION OF AGENDA

ADOPTED AS AMENDED BY ADDING FOUR PIECES OF LEGISLATION

D. APPROVAL OF MINUTES

APPROVED

E. ORDINANCES FOR FIRST READING

15-O-1494 (1) - U-15-14 AN ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR OUTDOOR DINING AND EATING AND DRINKING ESTABLISHMENTS WHEN ANY PART OF SUCH USE IS LOCATED WITHIN 1,000 FEET OF A RESIDENTIAL ZONING AND USE, PURSUANT TO SECTION 16-11.005(1)(L), FOR PROPERTY LOCATED AT 2324 MARIETTA ROAD, N.W., FRONTING APPROXIMATELY 204.78 FEET ON THE WEST SIDE OF MARIETTA ROAD BEGINNING AT THE SOUTHWEST INTERSECTION OF MARIETTA ROAD AND BOLTON ROAD. DEPTH VARIES; AREA: APPROXIMATELY .69 ACRES. LAND LOT 244, 17TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: BOLTON MASONS, LLC. APPLICANT: PATRICIA A. WALLIS NPU D COUNCIL

AND WALTON STREET. DEPTH: VARIES; AREA: APPROXIMATELY .22 ACRES; LAND LOTS 78, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: THE WESTPLAN INVESTORS, INC. APPLICANT: NORMAN KOPLON NPU M COUNCIL DISTRICT 2

Application File Date	9-29-2015
Zoning Number	U-15-15
NPU / CD	M/2
Staff Recommendation	
NPU Recommendation	
ZRB Recommendation	

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

- 15-O-1497 (4) - Z-15-59 AN ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE C-3 (COMMERCIAL RESIDENTIAL) DISTRICT AND C-1-C (COMMUNITY BUSINESS CONDITIONAL) DISTRICT TO THE C-3 (COMMERCIAL RESIDENTIAL) DISTRICT FOR PROPERTY LOCATED AT 2395, 2425, 2451 PEACHTREE ROAD, N.E., FRONTING APPROXIMATELY 234.94 FEET ON THE SOUTH SIDE OF TERRACE DRIVE AND BEGINNING AT THE SOUTHEAST INTERSECTION OF TERRACE DRIVE AND PEACHTREE ROAD. DEPTH: VARIES AREA: APPROXIMATELY 1.866 ACRES. LAND LOT 101, 102, 111, 112, 17TH DISTRICT FULTON COUNTY, GEORGIA. OWNER: DEFOOR HILLS, LLC. AND PEACHTREE BATTLE IMMOBILIEN GESELLSCHAFT MBLT, INC. APPLICANT: BRANCH PROPERTIES, LLC. NPU B COUNCIL DISTRICT 7

Application File Date	9-29-2015
Zoning Number	Z-15-59
NPU / CD	B/7
Staff Recommendation	
NPU Recommendation	
ZRB Recommendation	

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

- 15-O-1498 (5) - Z-15-57 AN ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE R-LC-C (RESIDENTIAL LIMITED COMMERCIAL CONDITIONAL) DISTRICT TO THE MR-3 (MULTIFAMILY RESIDENTIAL) DISTRICT FOR

- 15-O-1500 (7) - Z-15-55 AN ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE I-1(LIGHT INDUSTRIAL) DISTRICT TO THE MR-4A (MULTIFAMILY RESIDENTIAL) DISTRICT FOR PROPERTY LOCATED AT 507 WILMER STREET (PARCEL NUMBER 14 0180005020) N.E., FRONTING APPROXIMATELY 61.77 FEET ON THE SOUTH SIDE OF DALLAS STREET AND BEGINNING AT THE NORTHEAST INTERSECTION OF DALLAS STREET AND WILMER STREET. DEPTH: VARIES AREA: APPROXIMATELY .15 ACRES. LAND LOT 18, 14TH DISTRICT FULTON COUNTY, GEORGIA. OWNER: ARTICHER MARTIN APPLICANT: OAK STREET SUNDANCE MANAGER, LLC. NPU M COUNCIL DISTRICT 2

Application File Date	9-28-2015
Zoning Number	Z-15-55
NPU / CD	M/2
Staff Recommendation	
NPU Recommendation	
ZRB Recommendation	

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

- 15-O-1501 (8) - Z-15-54 AN ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE R-4 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO THE R-4A (SINGLE FAMILY RESIDENTIAL) DISTRICT FOR PROPERTY LOCATED AT 1106 SANDERS AVENUE, S.E., FRONTING APPROXIMATELY 103 FEET ON THE NORTH SIDE OF SANDERS AVENUE AND BEGINNING APPROXIMATELY 140 FEET FROM THE SOUTHWEST INTERSECTION OF SANDERS AVENUE AND FLORIDA AVENUE. DEPTH: VARIES AREA: APPROXIMATELY .42 ACRES. LAND LOT 12, 14TH DISTRICT FULTON COUNTY, GEORGIA. OWNER: ROBERT AND LINDSAY FOURNIER APPLICANT: GARRETT COLEY NPU W COUNCIL DISTRICT 5

Application File Date	9-24-2015
Zoning Number	Z-15-54
NPU / CD	W/5
Staff Recommendation	
NPU Recommendation	
ZRB Recommendation	

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

NPU / CD	B/7
Staff Recommendation	
NPU Recommendation	
ZRB Recommendation	

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

F. ORDINANCES FOR SECOND READING

15-O-1469 (11) - AN ORDINANCE BY ZONING COMMITTEE AUTHORIZING THE INSTALLATION OF PUBLIC ART (ENTITLED "WELCOME TO OLD FOURTH WARD"), TO BE LOCATED AT 585 NORTH AVENUE, N.E., ATLANTA, GA 30308, AS PURSUANT TO CODE SECTION 16-28.025 OF THE 1982 ZONING ORDINANCE OF THE CITY OF ATLANTA; AND FOR OTHER PURPOSES.

RESULT: FAVORABLE [UNANIMOUS] Next: 11/2/2015 1:00 PM

AYES: Adrean, Smith, Bottoms, Hall, Norwood, Shook, Young Jr.

15-O-1491 (12) - AN ORDINANCE BY COUNCILMEMBER HOWARD SHOOK AS SUBSTITUTED BY ZONING COMMITTEE E TO AMEND ORDINANCE U-12-13 ADOPTED BY THE CITY COUNCIL ON SEPTEMBER 4, 2012 AND APPROVED AS PER THE CITY CHARTER SECTION 2-403 ON SEPTEMBER 13, 2012 FOR PROPERTY LOCATED 3755 PEACHTREE ROAD, N.E. TO APPROVE A TRANSFER OF SPECIAL USE PERMIT FOR AN ASSISTED LIVING FACILITY.

(Substituted and Held 10/28/15) (Held for pending legislation in ZRB)

RESULT: HELD IN COMMITTEE Next: 11/2/2015 1:00 PM

G. PAPERS HELD IN COMMITTEE

14-O-1348 (13) - U-14-13- AN ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR A PERSONAL CARE HOME PURSUANT TO SECTION 16-06.005 (1)(G) FOR PROPERTY LOCATED AT 929 CASCADE AVENUE, S.W., FRONTING APPROXIMATELY 95 FEET ON THE NORTH SIDE OF CASCADE AVENUE APPROXIMATELY 60 FEET EAST OF THE INTERSECTION OF ALTADENA PLACE AND CASCADE AVENUE. DEPTH VARIES. AREA: APPROXIMATELY 0.45 ACRE. LAND LOT 151, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: FLORENCE M. DEMOSTHENES APPLICANT: MAURICE SESSOMS, NPU S, COUNCIL DISTRICT 10

DECISION IN REED V. TOWN OF GILBERT, ARIZONA; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-15-51
NPU / CD	All
Staff Recommendation	Approval
NPU Recommendation	See Attached
ZRB Recommendation	Approval

RESULT: FAVORABLE/SUBSTITUTE [5 TO 1] Next: 11/2/2015 1:00 PM

AYES: Adrean, Smith, Bottoms, Norwood, Shook

NAYS: Young Jr.

ABSENT: Hall

- 15-O-1447 (3) - Z-15-39 AN AMENDED ORDINANCE BY ZONING COMMITTEE TO REZONE FROM RG-4-C (RESIDENTIAL GENERAL CONDITIONAL) DISTRICT TO RG-4-C (RESIDENTIAL GENERAL CONDITIONAL) DISTRICT FOR PROPERTY LOCATED AT 2544 PEACHTREE ROAD, N.W., FRONTING APPROXIMATELY 100 FEET ON THE WEST SIDE OF PEACHTREE ROAD AND BEGINNING AT THE SOUTHEAST INTERSECTION OF PEACHTREE ROAD AND MUSCOGEE AVENUE. DEPTH: VARIES AREA: APPROXIMATELY 3.56 ACRES. LAND LOT 147, 17TH DISTRICT FULTON COUNTY, GEORGIA. OWNER: RUDY HARRELL APPLICANT: DOUGLAS DILLARD NPU B COUNCIL DISTRICT 8

Application File Date	7-13-15
Zoning Number	Z-15-39
NPU / CD	B/8
Staff Recommendation	Approval, conditional
NPU Recommendation	Approval
ZRB Recommendation	Approval, conditional

RESULT: FAVORABLE/AMENDED [UNANIMOUS] Next: 11/2/2015 1:00 PM


AYES: Adrean, Smith, Bottoms, Norwood, Shook, Young Jr.

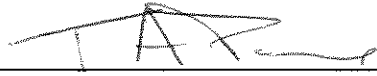
ABSENT: Hall

- 15-O-1413 (4) - Z-15-48 AN ORDINANCE BY COUNCILMEMBER HOWARD SHOOK AS

There being no further business to come before the Zoning Committee the meeting was adjourned at 9:58 AM

Respectfully submitted:


Angela Campbell, Legislative Assistant


Theo Pace, Research & Policy Analyst


The Honorable Yolanda Adrean, Chair